

UNITED STATES OF AMERICA

v.

BERNARD VON NOTHAUS
WILLIAM KEVIN INNES
SARAH JANE BLEDSOE
RACHELLE L. MOSELY
Defendants.

THIS MATTER is before the Court on multiple motions submitted on behalf of Defendant William Kevin Innes (“Innes”): Defendant Innes’s “*Ex Parte* Motion To Sever From Co-Defendant, Bernard Von Nothaus,” filed January 21, 2011 (Document #125); “*Ex Parte* Motion To Withdraw *Ex Parte* Motion To Sever From Co-Defendant, Bernard Von Nothaus,” filed January 26, 2011 (Document #131); “Sealed Motion To Sever From Co-Defendant, Bernard Von Nothaus,” filed January 26, 2011 (Document #132); “Motion To Change Venue,” filed January 21, 2011 (Document #126); and “Amended Motion To Change Venue,” filed January 24, 2011 (Document #129).

For the reasons set forth within Innes’s motion and the Government’s response, the Court, in its discretion, finds that severance in this instance is indeed warranted.

IT IS, THEREFORE, ORDERED THAT:

- 1) Defendant's *Ex Parte* Motion To Withdraw (Document #131) is **GRANTED**;
- 2) The Deputy Clerk shall serve a copy of the original *Ex Parte* Motion To Sever (Document #125) on Innes's co-defendants, including Von Nothaus, as well as U.S. Probation / Pretrial Services and the U.S. Marshal's Service for their information. The document shall remain under seal otherwise;¹
- 2) Defendant Innes' revised Motion To Sever (Document #132) is **GRANTED**;
- 3) The trial of Defendant Von Nothaus will proceed as originally scheduled in March 2011;
- 4) Absent objection from the non-moving co-defendants, and subject to the Defendants' respective explicit waivers of any Speedy Trial right, the trial of Defendants Innes, Bledsoe, and Moseley will be continued until the May 2011 trial term in the Statesville Division; and
- 5) Defendant's Motion To Change Venue (Document #126) is **DENIED as moot** and the Amended Motion To Change Venue (Document #129) is **DENIED without prejudice**.

Signed: January 27, 2011



Richard L. Voorhees
United States District Judge



¹ As addressed in a separate Order, the subject matter of Innes' original *Ex Parte* Motion To Sever, considered in conjunction with certain information contained within the Government's response to Innes' motion to sever, generates some concern on the part of the Court that Defendant Von Nothaus may not be abiding by the terms of his pretrial release.